



**U.S. Department of Justice**

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January 15, 2008

**BY HAND DELIVERY**

The Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 640  
New York, NY 10007

Re: *Haus v. Potter*, 07 Civ. 4808 (CM)(JCF)

Dear Judge McMahon:

**MEMO ENDORSED**

*6/2*

*Colleen McMahon*  
1/15/08

This Office represents the United States Postal Service (the "Government" or "Postal Service") in the above-referenced Title VII action. I respectfully request that the Court extend fact discovery in this action by 45 days, from January 28, 2008 to March 11, 2008, so that the parties may continue to engage in settlement discussions without incurring additional litigation expenses and to allow me to familiarize myself fully with this action. Counsel for the plaintiff consents to this request.

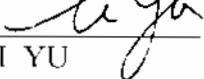
In a Memo-Endorsed Order dated December 12, 2007, the Court set January 28, 2008 as the last day for fact discovery in this action. Since then, the parties have completed the deposition of the plaintiff. Currently outstanding are depositions of three Postal Service witnesses by the plaintiff two fact witnesses, Mr. Howard Huie and Mr. Raphael Vias and a 30(b)(6) witness, Ms. Alice Newman.

In the meantime, plaintiff has made a settlement demand, which is under serious consideration by the Government. Because plaintiff's litigation expenses are a significant element to the feasibility of any settlement, the parties respectfully request an extension of the fact discovery deadline so that they can meaningfully discuss settlement terms before having to proceed with the additional depositions. The Government further requests an extension because this matter recently was re-assigned from AUSA John D. Clopper to me. Extending the fact discovery deadline by 45 days also will allow me to fully familiarize myself with this case.

I thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney  
Attorney for Defendant John E. Potter

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